

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Linda Marie Patton a/f/a Linda Marie Ball
a/k/a Linda B. Patton**

Debtor

PNC Bank, National Association

Movant

vs.

**Linda Marie Patton a/f/a Linda Marie Ball a/k/a
Linda B. Patton**

Kenneth E. West, Trustee

Respondents

BK NO. 23-10105 AMC

Chapter 13

Hearing Date: 6/20/2023

**OBJECTION OF PNC BANK, NATIONAL ASSOCIATION TO CONFIRMATION OF
CHAPTER 13 PLAN**

PNC Bank, National Association (hereinafter Secured Creditor), objects to confirmation of Debtor's Chapter 13 plan and asserts in support of its Objection as follows:

1. On March 23, 2023, Secured Creditor filed a secured proof of claim setting forth the total debt in the amount of \$241,118.97 with an annual interest rate of 6.0%.

2. Debtor's Plan provides for payment in the amount of \$237,690.54 towards the arrearage claim of the Secured Creditor.

3. The Debtor's loan matured. Therefore, the only right the Debtor has/have is to satisfy the Secured Creditor's claim, pursuant to 11 U.S.C. 1322 (c) (2). The Debtor's plan impermissibly attempts to cure the arrearage on the Secured Creditor's claim.

4. The Debtor's proposed plan calls for the sale or refinance of the aforesaid premises, which sale provision does not satisfy the feasibility requirements of 11 U.S.C. 1325 (a) (6). The sale or refinance of the property is remote and speculative and therefore the plan is not feasible.

5. Debtor's Plan understates the amount of the Secured Creditor's claim by \$3,428.43, and does not provide sufficient funding to pay said claim including present value interest.

6. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Secured Creditor.

7. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Secured Creditor, PNC Bank, National Association, prays that the Court deny confirmation of the Debtor's Plan.

Date: June 8, 2023

Respectfully submitted,

By: /s/ Denise Carlon

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